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July 17, 2000

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Ms. Magalie R. Salas
Secretary
Federal Communications Commission
445 12th Street, S.W., TWB204
Washington, D.C. 20554

Re: **MM Docket No. 00-116**
RM-9877

Dear Ms. Salas:

Transmitted herewith, on behalf of KMBC Hearst-Argyle Television, Inc., are an original and four copies of its Comments in the above-captioned docket.

If any questions should arise during the course of your consideration of this matter, it is respectfully requested that you communicate with this office.

Very truly yours,

BROOKS, PIERCE, McLENDON,
HUMPHREY & LEONARD, L.L.P.


Coe W. Ramsey
Counsel to KMBC Hearst-Argyle Television, Inc.

CWR/slm
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**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
Amendment of Section 73.622(b),)
Table of Allotments,)
Digital Television Broadcast Stations.)
(Kansas City, Missouri))
)

MM Docket No. 00-116
RM-9877

To: Chief, Video Services Division
Mass Media Bureau

COMMENTS

KMBC Hearst-Argyle Television, Inc. ("KMBC" or "Petitioner"), licensee of Television Station KMBC-TV, Channel 9, and Digital Television Station KMBC-DT, Channel 14, Kansas City, Missouri, by its counsel, hereby files its Comments in response to the *Notice of Proposed Rule Making* in the instant proceeding, DA 00-1411, released June 28, 2000 (the "*NPRM*").

In response to KMBC's *Petition for Rule Making*, the Commission issued the *NPRM*, which proposes to amend the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, by substitution of DTV Channel 7 for KMBC's assigned DTV Channel 14. As set forth in KMBC's *Petition for Rule Making*, the proposed channel change would serve the public interest by eliminating the potential adverse impact to many of the more than 200 land mobile facilities that are licensed for operation within 50 miles of KMBC's tower site in the 3 MHz immediately adjacent to the lower edge of Channel 14. Since some of these facilities are used for rescue, ambulance and

other life-saving emergency purposes, the public interest would be better served by KMBC's DTV operation on Channel 7 rather than Channel 14.

The proposed channel change complies with the Commission's DTV rules. The *NPRM* notes that DTV Channel 7 can be substituted for DTV Channel 14, as proposed, in compliance with the principle community coverage requirements of Section 73.625(a). *See NPRM* ¶3. In addition, the *NPRM* notes that the channel change is acceptable under the 2 percent criterion for *de minimis* impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2). *See id.*

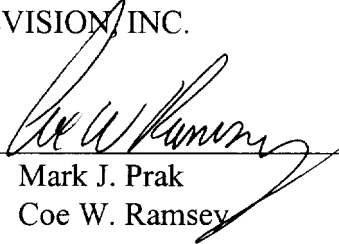
Petitioner hereby restates its present intention to apply for Channel 7 for DTV operations if it is allotted and, if authorized, to construct its DTV facilities promptly. Also, in support of the proposal, Petitioner hereby incorporates the statements made in its *Petition for Rule Making* filed in the instant proceeding.

For the reasons stated above, the Commission should promptly adopt a *Report and Order* substituting DTV Channel 7 for KMBC's assigned DTV Channel 14.

Respectfully submitted,

KMBC HEARST-ARGYLE
TELEVISION, INC.

By


Mark J. Prak

Coe W. Ramsey

*Counsel to KMBC Hearst-Argyle
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